

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

LAWRENCE E. ROSS,)	CASE NO. 4:06 CV 48
)	
Petitioner,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	<u>ORDER OF TRANSFER</u>
STEWART C. HUDSON,)	
)	
Respondent.)	

On January 9, 2006, petitioner Lawrence E. Ross filed this action for habeas corpus under 28 U.S.C. § 2254. For the reasons stated below, this action must be transferred to the United States Court of Appeals for the Sixth Circuit.

A second or successive motion under section 2254 may not be filed without leave from the appropriate court of appeals. 28 U.S.C. § 2244(b)(3). The court takes judicial notice of the fact that this is at least the second petition filed by Ross in this court challenging his June 1996 convictions for murder, aggravated burglary, and having a weapon under disability. A previous petition was dismissed on May 30, 2001, on the ground of procedural default. See Ross v. Wilson, N.D. Ohio Case No. 4:01 CV 955.

Accordingly, pursuant to In re Sims, 111 F.3d 45 (6th Cir. 1997), this action is hereby transferred to the United States

Court of Appeals for the Sixth Circuit.

IT IS SO ORDERED.

s/Peter C. Economus - 2/17/06

PETER C. ECONOMUS

UNITED STATES DISTRICT JUDGE